



GREENPEACE

**‘Odette Case’:
Taking Shell
to Court to
Make Climate
Polluters Pay**

**MEDIA
FACTSHEET**



'Odette Case': Taking Shell to Court to Make Climate Polluters Pay

Media Factsheet

OVERVIEW

Several legal inquiries have shown that Shell has known for years that fossil fuels cause dangerous climate change, but instead of changing course, the company engaged in campaigns to mislead the public and have continued expanding their fossil fuel operations that contribute to climate change and its harmful impacts.

In 2021, Typhoon Odette (Rai) hit the Philippines and affected [10.61 million people](#) – over 400 people were killed, 1,100 severely injured, and 1.4 million displaced from their homes. This super typhoon alone cost the Philippines PHP 17.8 billion in damages in agriculture and PHP 30 billion in infrastructure. The people of the Philippines have done little to cause the climate crisis, yet they bear its worst consequences. Despite contributing just 0.48% of the world's total emissions, the country is the most at-risk due to climate impacts.

Scientists have [found](#) that climate change caused by human emissions (notably by oil and gas companies such as Shell) made storms like Odette more likely and more intense. The likelihood of a disaster like Odette in the Philippines has roughly doubled due to current warming. Filipinos face repeated bouts of extreme weather, hardly having time to recover from the last one when the next disaster hits.

Despite being battered by typhoons, drought, poverty and anxiety, a group of 67 Filipinos are now doing an extraordinary thing—they are suing Shell and seeking justice for the impacts of Typhoon Odette. They demand compensation for damaged homes, health and livelihoods, and lives lost due to climate impacts caused by emissions by oil and gas companies.

Represented by a British law firm, the communities will file their claim against Shell in the United Kingdom (UK), where the Defendant is based, but it will follow Philippine law since the harm occurred there.

THE CASE

This legal action is being done on behalf of 67 Philippine climate survivors who are seeking justice for the damages they have suffered under Super Typhoon Odette.

This is a landmark litigation. It is the first climate change case seeking damages for personal injury and property damage, as well as the first civil claim to directly link the climate impacts of carbon major operations to death and personal injury that has occurred in the Global South.

The case announcement in London coincides with a handover of a Letter Before Action (LBA). The case will then be filed in December later in the year.



THE NICC AND ICJAO

The case builds on a 2022 report by the Philippines Commission on Human Rights which examined the impacts of climate change on the human rights of Filipinos. The Climate Change and Human Rights Inquiry (NICC) in the Philippines is the world's first investigation into corporate responsibility for the climate crisis. It set a solid legal basis for asserting that climate-destructive business activities by fossil fuel and cement companies contribute to human rights harms. It also stated that fossil fuel companies may be held liable for obfuscation, and that "[a]ll acts to obfuscate climate science and delay, derail, or obstruct this transition may be a basis for liability. At the very least, they are immoral."

The Odette case is also the first of its kind to be filed after the International Court of Justice's (ICJ) issuance of its Advisory Opinion (ICJAO) on the obligations of States as regards climate change last July 2025. The ICJAO is hailed as a major step towards climate accountability, saying that States are obligated to regulate businesses on the harm caused by their emissions regardless of where the harm takes place. This is aligned with the Philippine's oral argument presented before the ICJ: "[h]and in hand with the obligation not to cause transboundary harm is the state's obligation to exercise due diligence. Attendant to this obligation is the adoption of appropriate measures and the exercise of vigilance in their enforcement, as well as the exercise of administrative control applicable to all public and private entities under its jurisdiction."

CLAIMANTS

There are currently 67 claimants—all people who lost loved ones, were seriously injured, suffered property damage, or lost their homes due to Typhoon Odette. They come from the hardest-hit areas, such as Bohol and Cebu.

LEGAL ARGUMENTS

The claim is likely to be brought on four causes of action in Philippine law:

1. Shell **caused damage to the claimants** in a manner contrary to morals, good customs or public policy.
2. Shell **violated the claimants' constitutional right** to a balanced and healthy environment.
3. Shell **acted with negligence**. They had the opportunity to mitigate climate harm and an obligation to refrain from obfuscating climate science, but failed to do so.
4. Shell **has been unjustly enriched**, profiting enormously from their contribution to climate change at the expense of the claimants.

EVIDENCE

This case is based on robust scientific modelling to examine how climate change affected Typhoon Odette. The findings show that **human-induced climate change increased the likelihood and intensity of storms like Odette, and the likelihood of a disaster like Odette in the Philippines has roughly doubled due to current warming.**

The case will rely on existing evidence and seek new disclosures regarding Shell's historic knowledge of the harmful effects of fossil fuel extraction and combustion, and their attempts to obscure climate science and mislead the public.

REMEDIES

The claimants are seeking financial compensation. While the court cannot undo the losses and damages suffered by the claimants and their communities, the law can provide financial compensation and monetary damages for the loss of life, personal injury and violation of an individual's rights. This legal remedy is consistent with the polluter pays principle, which recognizes that the costs of environmental and climate change-induced harms should be borne by those responsible.

IMPACT

This case is a unique piece of litigation that could inspire and set legal precedents for future climate cases. For civil society organizations, the Odette campaign highlights a core demand of the global climate justice movement: holding fossil fuel companies in the Global North accountable for climate harms experienced by those least responsible in the Global South.

INTERVIEWS

Several of the claimant cohort and members of the campaign team will be available for interviews with the media:



[ANNIE CASQUEJO](#)



[ARNOLD OGUIA](#)



[GRACE LORLYN OGUIA](#)



[TRIXY ELLE](#)

Media professionals who would like to speak to any of the above spokespeople should contact:

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For more information, please visit [**www.odettecase.org**](http://www.odettecase.org)

NOTE

[Greenpeace Philippines](#), the [Legal Rights and Natural Resources Center](#) (LRC), the [Philippine Movement for Climate Justice](#) (PMCJ), and [Uplift](#) are participating in a campaign in support of the claimants in their fight for justice. The campaign aims to build awareness and mobilize support among the public for the claimants and their fight for justice. The above mentioned groups are not involved in the legal case nor the legal strategy.